

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	1: 01-cr-455 (LMB)
ZACARIAS MOUSSAOUI,)	
a/k/a "Shaqil,")	
a/k/a "Abu Khalid al Sahrawi,")	

ORDER

On August 17, 2020, the Court received four hand-written communications ("motions") from defendant Zacarias Moussaoui ("Moussaoui" or "defendant") three of which center around a common theme – that high government officials are preventing Moussaoui's testimony to protect various members of the Saudi royal family. Specifically, he accuses President Trump, Attorney General Barr, and FBI Director Wray of obstructing justice by declaring that a 2014 deposition he claims to have made in support of litigation brought by victims of the attacks on the USS Cole and in the 9/11 attacks, has been declared a "State Secret." [Dkt. Nos. 1944, 1945 and 1946]. He also claims that these officials have caused Special Administrative Measures ("SAMs") to be imposed on him at the USP Florence ADMAX to prevent him from communicating with attorneys representing these victims and suggests that they may be interfering with his desire to consult with counsel and to testify at the military commission trials scheduled to occur at the Guantanamo facility in 2021. He asks the Court to "Order Supermax to produce a copy of all the letters" he has sent to these officials and hold a hearing on his charge that they are obstructing justice.

Although the defendant pleaded guilty and was sentenced in this district, this Court has no jurisdiction to address any of the issues raised in these three motions. To the extent defendant is concerned that officials are preventing him from testifying in litigation brought by victims of the terrorist attacks on the USS Cole and on September 11, if the attorneys in that litigation believe the defendant's testimony is relevant, they can make the appropriate motions in the appropriate jurisdiction to get his testimony. None of those cases is pending on this court's docket. To the extent the three motions complain about the SAMs under which defendant is incarcerated, those claims must be filed in the United States District Court for the District of Colorado, the jurisdiction in which defendant is incarcerated.

For all these reasons, it is hereby

ORDERED that the three motions [Dkt. Nos. 1944, 1945 and 1946] be and are DENIED.

In his fourth motion, although captioned as a "Motion for Guidance to Vacate my Guilty Plea and Order New 9/11 Trial," defendant primarily complains about prison officials slowing down his communications with the Fourth Circuit and denying him the assistance of Robert Barnes, who he identifies as an attorney he wants to retry this case.

None of the relief requested in the motion is available. As discussed above, whatever is happening in his prison must be raised in the federal court in which the facility is located. Defendant already knows this requirement as he has previously filed several complaints in that court addressing the conditions of his confinement. For the last time, he is advised that this Court has no jurisdiction to address any of his complaints about the SAMs. To the extent he is asking the Court for legal advice, that is an improper request because courts do not act as legal advisors to litigants. The defendant can find guidance within his facility's law library as to the

requirements a defendant must satisfy in the Fourth Circuit to prevail on a motion to withdraw a guilty plea.

Because defendant has not raised any legitimate claim over which this Court has jurisdiction, it is hereby

ORDERED that the motion [Dkt. No. 1947] be and is DENIED.

To appeal this decision defendant must file a written Notice of Appeal within fourteen (14) days of the date of this Order. Failure to timely file a notice of appeal waives defendant's right to appellate review of this decision.

The Clerk is directed to forward copies of this Order to counsel of record and defendant, pro se.

Entered this 21st day of August, 2020.

Alexandria, Virginia


Leonie M. Brinkema
United States District Judge